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8 IN THE UNITED STATES DISTRICT COURT  
9  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11  
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 JAVIER MARTINEZ MONTECINOS  
17 ROSALES and VICTOR CERNAS,

18  
19 Defendants.  
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CASE NO: CR13-00224-EJD

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22 STIPULATION AND ~~PROPOSED~~ ORDER  
23 CONTINUING STATUS CONFERENCE TO  
24 SEPTEMBER 8, 2014 AND EXCLUDING  
25 TIME UNDER THE SPEEDY TRIAL ACT  
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21 The parties, by and through their respective counsel, hereby stipulate, subject to the  
22 Court's approval, that the status conference currently scheduled for August 4, 2014 be  
23 continued to September 8, 2014 for further status.  
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25 The parties further stipulate that time should be excluded under the Speedy Trial Act  
26 from August 4, 2014 through and including September 8, 2014 for effective preparation of  
27 defense counsel. Defense counsel recently received proposed plea agreements and require  
28 additional time to review and consider them and conduct follow-up investigation.

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2 IT IS SO STIPULATED.  
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4 Dated: July 30, 2014

MELINDA HAAG  
United States Attorney

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6 /S/  
GARY FRY  
Assistant United States Attorney

8 Dated: July 30, 2014

9 /S/  
THOMAS J. FERRITO  
Counsel for Victor Cernas

10 Dated: July 30, 2014

11 /S/  
MICHELLE D. SPENCER  
Counsel for Javier Martinez Montecinos Rosales

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15 ~~PROPOSED~~ ORDER

16 GOOD CAUSE APPEARING, and upon the stipulation of the parties,

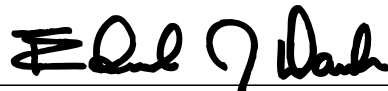
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18 IT IS HEREBY ORDERED that the status conference currently scheduled for both  
19 defendants on August 4, 2014 shall be continued to September 8, 2014 at 1:30 p.m. for further  
20 status.

21 FURTHER, the Court finds that failing to exclude the time between August 4, 2014  
22 through and including September 8, 2014, would unreasonably deny defense counsel time for  
23 effective preparation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv). The ends of justice served by  
24 excluding the time between August 4, 2014 and September 8, 2014, from computation under  
25 the Speedy Trial Act outweigh the interests of the public and the defendant in a speedy trial.  
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1 IT IS FURTHER ORDERED that the time between August 4, 2014 through and  
2 including September 8, 2014, shall be excluded from computation under the Speedy Trial Act,  
3 18 U.S.C. § 3161(h)(7)(A), and (B)(iv), and 18 U.S.C. § 3161(h)(1)(D).  
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5 IT IS SO ORDERED.  
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7 Dated: 7/31/14

  
8 THE HONORABLE EDWARD J. DAVILA  
United States District Judge  
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